

Docket Item #5
SPECIAL USE PERMIT #2006-0027

Planning Commission Meeting
June 6, 2006

ISSUE: Consideration of a request for a special use permit amendment for an increase in the hours of operation and an expansion of the existing health and athletic facility.

APPLICANT: Old Town Athletic Club, Inc. d/b/a Sport & Health Company
by M. Catharine Puskar, attorney

LOCATION: 209 Madison Street

ZONE: OCM(50)/Office Commercial Medium

CITY COUNCIL ACTION, JUNE 17, 2006: City Council approved the Planning Commission recommendation.

PLANNING COMMISSION ACTION, JUNE 6, 2006: On a motion by Mr. Komoroske, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 6 to 0. Mr. Dunn was absent.

Reason: The Planning Commission agreed with the staff analysis, and noted that the applicant will work with the North Old Town Urban Design Advisory Committee on any design issues with the front entrance prior to the City Council hearing.

Speakers:

Cathy Puskar, attorney, spoke in support of the application, and stated that the information requested by the Urban Design Advisory Committee has been provided to them, and that the applicant will work with the Committee prior to City Council to address any concerns. Ms. Puskar noted that the applicant intended to remove the box signs, and that Condition #11 requires removal of the sign on Madison Street.

Ally Ann Greer, chair of the North Old Town Urban Design Advisory Committee, stated that the Committee approved the proposal in concept, but did not have sufficient time to review the site plan and street elevation that they had just received. The Committee had concerns about the maintenance of the proposed planters and the existing box signs.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

**SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE**

I. DISCUSSION

REQUEST

The applicant, Old Town Athletic Club, Inc. d/b/a Sport & Health Company, requests special use permit approval for an increase in the hours of operation and an expansion of the existing health and athletic facility at 209 Madison Street.

SITE DESCRIPTION

The Old Town Athletic Club is located in the office building located at the northeast corner of Madison and North Fairfax Streets. The building contains approximately 116,600 square feet of floor space and occupies a lot that is almost an acre in size. The subject athletic facility currently occupies the basement and first floor levels of the office building, totaling 25,124 square feet. The proposed expansion is to occupy the entire second floor, adding 16,302 square feet.



The site is bordered on the north by another office building, on the east by the Rivergate townhouses, on the south by the United Way building; the Montgomery Center is to the west.

BACKGROUND

City Council originally approved Special Use Permit #2056 for The Old Town Athletic Club on November 14, 1987. On May 18, 1996, City Council approved Special Use Permit #96-0031 to increase the hours of operation. On June 14, 1997, City Council approved Special Use Permit #97-0062 for an expansion of the facility. Staff approved Special Use Permit #2000-0031 in 2000 to change the ownership of the facility to Sport and Health Company, LC.

On April 25, 2006, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found that the facility opened 15 minutes prior to the allowable opening hour. The applicant amended this application as a result to allow the facility to open at 5:30 a.m. daily.

Staff is not aware of any recent complaints regarding the health and athletic facility.

PROPOSAL

The applicant proposes to expand the health and athletic facility, to total 41,426 square feet in the basement, first and second levels of the building. The expansion will allow the health club to

provide larger, upgraded locker rooms as well as upgraded work-out areas. The existing interior spaces will be renovated as part of the expansion, and a new entrance is proposed to be installed on the south side of the building, facing Madison Street (see attached drawings). The new entrance will provide access directly to the lobby from Madison Street. The club will still have access from the parking garage at the east side of the building and from Fairfax Street.

The applicant also requests to amend its hours of operation. The requested changes are as follows:

Existing SUP Hours

5:45 a.m. to 10:00 p.m. Monday-Friday

7:00 a.m. to 8:00 p.m. Saturday

8:00 a.m. to 8:00 p.m. Sunday

Proposed Hours

5:30 a.m. to 11:00 p.m. Monday-Friday

5:30 a.m. to 9:00 p.m. Saturday/Sunday

PARKING

According to Section 8-200(A)(17) of the Zoning Ordinance, a health and athletic facility of 41,426 square feet is required to provide 104 spaces. According to Site Plan #85-016, the subject office building was built with 298 parking spaces, totaling one parking space for every 400 feet, which is the same requirement as the health club facility. Therefore, the applicant complies with the parking requirement.

The parking garage currently operates on a shared basis with no reserved spaces for a particular use in the building. There are two access points to the parking garage. The upper level is accessed off of Montgomery Street and has a parking attendant during the weekdays. During daytime hours, patrons without a keycard are charged the standard hourly parking rate. Parking is free to patrons during evening and weekend hours. The lower level is accessed off of Madison Street, and currently provides a keycard only access system. According to the applicant, patrons may buy an annual parking pass to access both levels of the garage. The applicant is considering adding a parking attendant on the first level garage.

In the future, the Club plans to offer parking validation to permit short term parking at a reduced rate for Club use only, while preventing long term commuter parking. According to the applicant, the parking will more than likely remain open and free on evenings and weekends, as staff observed upon visiting the facility.

ZONING/MASTER PLAN DESIGNATION

The subject property is zoned OCM(50)/Office Commercial Medium (50). Section 4-903(M) of the Zoning Ordinance permits a health and athletic club with a special use permit in the OCM(50) zone.

The proposed use is consistent with the Old Town North Small Area Plan chapter of the Master Plan which designates the property OCM(50).

II. STAFF ANALYSIS

Staff does not object to the expansion and increase of hours at the Old Town Athletic Club. The facility has been at this location for several years, and provides a service to area residents and workers. Parking is more than adequate within the adjacent parking structure. The only residential uses in the immediate vicinity are located to the east of the parking structure and railroad tracks, reducing the potential for any negative impacts from the proposed expansion. Staff is not aware of any recent complaints about the club.

While technically there is adequate parking, staff found that there is little incentive to use the garage given that the upper deck is accessed only from Montgomery Street, and that the lower deck that is closest to the facility is only available to those who have paid for an annual parking pass. To reduce the potential for impacts to on-street parking, staff recommends the standard condition that the applicant post information about mass transit opportunities for both employees and patrons. In addition, staff recommends that the applicant post information regarding the location of the access to the parking garage, and its hours and fees, particularly those hours when parking is free. Finally, staff recommends that the applicant require all employees who drive to work to park in the on-site parking structure.

Staff has no objection to the proposed new door on Madison Street. Staff worked with the applicant on several iterations of the design, and finds the attached design to be compatible with the building and North Old Town Design Guidelines. Although some mature shrubs will be lost, the applicant proposes to replace it.

Staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP 2056)

2. The hours of operation of the public health club shall be from 5:30 A.M. to 11:00 P.M. Monday through Friday, 5:30 A.M. to 9:00 P.M. on Saturday and Sunday (P&Z)
3. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (Police) (SUP#2000-0031)
4. The applicant shall encourage its employees and patrons to use mass transit or to carpool when traveling to and from the facility, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
6. The applicant shall post information regarding the location, cost, and hours of the parking structure, and post when parking is free at the structure. If a parking validation program is implemented, the applicant shall post information regarding the program. (P&Z)
7. The applicant shall require all of its employees who drive to work to park in the on-site parking structure. (P&Z)
8. The facade improvements for the proposed new doorway and sign on the south side of the building shall be consistent with the attached plans. (P&Z)
9. The applicant shall submit a minor plan amendment to current approved site plan (to be submitted to T&ES) to implement the proposed new building entrance. (T&ES)
10. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
11. The applicant shall remove the existing box sign on Madison Street. (P&Z)

12. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Valerie Peterson, Urban Planner.

shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 The applicant shall submit a minor plan amendment to current approved site plan (to be submitted to T&ES) to implement the proposed new building entrance.
- R-2 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- F-1 T&ES has no objections to the proposed expansion.

Code Enforcement:

- F-1 The applicant is proposing an open stair through 3 levels of the structure. This stair shall conform to applicable requirements of the USBC.
- C-1 The current use of the proposed space is classified as B, Business; the proposed use is A, Assembly. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.

- C-3 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required (USBC 111.1).
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-7 A revised fire prevention code permit is required for the proposed increase in operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-8 A Certificate of Use of Occupancy is required prior to opening (USBC 119.1).
- C-9 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. This facility is currently operating as Old Town Sport & Health under an Alexandria Health Department permit issued to Sport & Health Company, L.C.
- C-2 Permits are non-transferable
- C-3 This facility must meet current Alexandria City Code requirements for health clubs.
- C-4 If any changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 11, Administrative Regulations 20-6. Swimming Pools.
- C-5 Permits must be obtained prior to operation.

Police Department:

- R-1 The applicant should contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the expanded portion of the business.
- F-1 The Police Department has no objections to the expansion of hours of operation, the expansion of the facility and, no objections to the adding of a new entrance into the facility.

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**



*City of Alexandria, Virginia
Department of Planning & Zoning*

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this special use permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit#	#2006-0027
Approved by City Council on:	June 17, 2006
Permission is hereby granted to:	Old Town Athletic Club d/b/a Sport & Health Club
to use the premises located at:	209 Madison Street
for the following purpose:	see attached report

It is the responsibility of the special use permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

7-20-06

Date _____

Eileen P. Fogarty / KMT
Eileen P. Fogarty, Director
Department of Planning and Zoning